

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Yolanda I. Grigsby, Deputy Clerk.

F026407 People v. Berry

Cause called and argued by Bradley A. Bristow, Esq., Central California Appellate Program, counsel for appellant and by Nanette Winaker, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F025828 Braisher v. Mobil Chemical Company et al.

Cause called and argued by David J. Ozeran, Esq., counsel for appellant and by Patrick J. Ahern, Esq., counsel for respondent, Mobil Chemical Company. Michael Hinojos, respondent in propria persona did not appear.

Cause ordered submitted.

F025042 Stephen Pavich & Sons v. Jovista Cold Storage, Inc.

Cause called and argued by Richard B. Isham, Esq., counsel for appellant and by Brian E. Sims, Esq., counsel for respondent.

Cause ordered submitted.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Deputy Clerk.

F024711 California State Automobile Association v. Oller Construction Company et al.

Cause called and argued by Charles E. Keen, Esq., counsel for appellant and by David H. Tennant, Esq., counsel for respondent.

Cause ordered submitted.

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F025214 People v. Rothgarn

Cause called and argued by James F. Tritt, Esq., counsel for appellant. Lloyd G. Carter, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

F026265 People v. Thomas

Cause called and argued by Fay Arfa, Esq., counsel for appellant. Thomas Y. Shigemoto, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, February 20, 1998 at 10:00 A.M.

F029627 In re Lee L., et al., Minors

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.

F026470 People v. Lopez

The judgment is affirmed. Levy, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F025451 People v. Montalvo

Supplemental briefing having been received in the above entitled matter, the cause is submitted for decision.

F028620 People v. Moore

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

Pursuant to rule 38, California Rules of Court, it is further ordered that the remittitur issue forthwith.

F026235 People v. Zavala

Filed modification of opinion (no change in judgment).

By the Court.

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F026235 People v. Zavala

Appellant's petition for rehearing filed herein is denied (included in modification of opinion).

F027247 People v. Mays

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F029673 In re Ashley R., a Minor

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F026363 Romero v. Santiago

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F023689 Pleasant Valley Canal Company v. Bruce Borrer, et al.

Filed order granting request for publication of the opinion.

F029884 Regina J., v. Superior Court, Tulare Co.; Department of Human Services

The petition for writ of extraordinary is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]